

OFFICIAL

RECEIVED
CENTRAL FAX CENTER

JUL 07 2004

DNAX

901 California Avenue

Palo Alto, CA 94304-1104

Main: 650 • 496-6400

FAX: 650 • 496-1200

FAX TRANSMITTAL SHEET**NO. OF PAGES** (including this page): 7**TO:** Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**Attn:** Examiner
Art Unit: Unknown
FAX: (703) 872-9306**FROM:** Sheela Mohan-Peterson
DATE: July 7, 2004**RE:** Docket No.: DX0935KC
USSN: 10/777,789
Filed: February 11, 2004
Title: Mammalian Cytokines; Related Reagents and Methods**Any difficulty with this facsimile, please call: Melanie Lyons at (650) 496-1183****Documents attached:**

- Transmittal (1 page)
- IDS and Form PTO/SB/08 (5 pages)

I hereby certify that this correspondence is being facsimile transmitted to the USPTO to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date
indicated below:

July 7, 2004
Melanie Lyons

CONFIDENTIALITY NOTE: This sheet and/or the document(s) accompanying it contain information belonging to DNAX which is confidential and/or legally privileged. The information is intended only for the use of the person or entity named above. If you have received this fax in error, please immediately notify us by telephone or return Fax.

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/777,789
		Filing Date	02/11/2004
		First Named Inventor	Birgit OPPMANN
		Art Unit	Unknown
		Examiner Name	Unknown
Total Number of Pages in This Submission	7	Attorney Docket Number	DX0935KC

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (2 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Other Enclosures/Remarks: <ul style="list-style-type: none"> • Form PTO/SB/08 (3 pages) • Fax Transmittal Sheet (1 page) 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Sheela Mohan-Peterson, Reg. No. 41,201 DNAX Research, Inc. 901 California Ave. Palo Alto, CA 94304-1104
Signature	<i>Sheela Mohan-Peterson</i>
Date	07-July-2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date indicated below:			
Typed or printed	MELANIE LYONS		
Signature	<i>Melanie Lyons</i>	Date	7-7-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

RECEIVED
CENTRAL FAX CENTER
JUL 07 2004
OFFICIAL

Attorney Docket: DX0935KC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re application of:

Birgit OPPMANN, et al.

Application No.: 10/777,789

Filed: February 11, 2004

For: MAMMALIAN CYTOKINES;
RELATED REAGENTS AND
METHODS

Examiner: Unknown

Art Unit: Unknown

Conf. No.: Unknown

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 7, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

by:


MELANIE LYONS**INFORMATION DISCLOSURE STATEMENT**

Sir:

The materials as listed in the attached form PTO/SB/08 are brought to the Examiner's attention pursuant to the duty of disclosure under 37 C.F.R. § 1.56, § 1.97, and § 1.98. Attached please find Form PTO/SB08 listing references AA-BH.

All references listed on the attached form PTO/SB/08 have been previously cited either by Applicants or the Examiner in the parent application, U.S. Patent Application No. 09/521,335, filing date March 9, 2000, and copies should be available there. As such, these references will not be provided absent a specific request.

Citation of these documents should not be construed as a representation that the documents are in fact material or are in fact prior art with respect to the instant invention. The Examiner should not make any inference relating to the relative pertinence of cited references based upon the order in which the art is presented. Citation of these documents should not be construed as a representation that a search has been made or that more pertinent art may not be in existence.

Applicants request that the Examiner fully consider the art cited in the attached PTO/SB/08 form. Applicants further request that the Patent and Trademark Office list all such art on the front of any patent issuing from this application.

Applicants believe no fee is required for filing this document; however, if such a fee is required the Commissioner is hereby authorized to charge DNAX Research Institute Deposit account no. 04-1239.

Respectfully submitted,

Date: _____

By: _____
Sheela Mohan-Peterson, Reg. No.
41,201
Attorney for Applicants

Customer No. 28008
DNAX Research, Inc.
901 California Avenue
Palo Alto, CA 94304-1104
Telephone (Switchboard): (650) 496-6400
Telephone No. (Direct): (650) 496-1244
Facsimile No.: (650) 496-1200

PTO/SB/08A (04-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/777,789	
			Filing Date	02/11/2004	
			First Named Inventor	Birgit OPPMANN	
			Art Unit	Unknown	
			Examiner Name	Unknown	
Sheet	1	of	3	Attorney Docket Number	DX0935KC

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	DOCUMENT NUMBER	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant, Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	5,457,038A	10-10-1995	TRINCHIERI, et al.	
	AB	5,741,772A	04-21-1998	CHANG	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant, Passages or Relevant Figures Appear	T ⁶
		Country Code ² Number ⁴ Kind Code ³ (if known)				
	AC	WO 98/33922A1	08-06-1998	CHANG, et al.		
	AD	WO 99/00415A1	01-07-1999	SHI, et al.		
	AE	WO 98/11225A2	03-19-1998	HILTON, et al.		
	AF	WO 98/31811A1	07-23-1998	DONALDSON, et al.		
	AG	WO 98/49307A1	11-05-1998	LOK, et al.		
	AH	WO 95/11303A1	4-27-1995	STAHL, et al.		
	AI	WO 99/20755A2	4-29-1999	ELSON, et al.		
	AJ	WO 99/28462A2	6-10-1999	WOOD, et al.		
	AK	WO 99/35264A1	7-15-1999	COSMAN, et al.		
	AL	WO 99/40195A1	8-12-1999	MATTSON, et al.		
	AM	EP 0759466A2	02-26-1997	GUBLER, et al.		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

OFFICIAL

JUL 07 2004

PTO/SB/08B (04-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/777,789	
			Filing Date	02/11/2004	
			First Named Inventor	Blrgit OPPMANN	
			Art Unit	Unknown	
			Examiner Name	Unknown	
Sheet	2	of	3	Attorney Docket Number	DX0935KC

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶	
	AN	DECHIARA, et al., "Mice lacking the CNTF receptor, unlike mice lacking CNTF, exhibit profound motor neuron deficits at birth," Cell, 83(2):313-322 (October 20, 1995).		
	AO	ELSON, et al., "Homo sapiens cytokine-like factor-1 precursor (CLF-1) mRNA, complete cds," GenBank, Accession No. AF059293 (August 2, 1998).		
	AP	ELSON, et al., "Cytokine-Like factor-1, a novel soluble protein, shares homology with member of the cytokine type I receptor family," J. Immunol. 161(3):1371-1379 (August 1, 1998).		
	AQ	FISCHER, et al., "A bioactive designer cytokine for human hematopoietic progenitor cell expansion," Nat. Biotechnol., 15(2):142-145 (February 1997).		
	AR	GATELY, et al., "The interleukin-12/interleukin-12-receptor system: role in normal and pathologic immune responses" Annu. Rev. Immunol., 16:495-521 (1998).		
	AS	GOUGH, "Murine mRNA for leukaemia inhibitory factor (LIF)," GenBank, Accession Number X06381 (July 13, 1995).		
	AT	HABECKER, et al., "A sweat gland-derived differentiation activity acts through known cytokine signaling pathways" J. Biol. Chem., 272(48):30421-30428 (November 28, 1997).		
	AU	MCDONALD, "Human CNTF gene for ciliary neurotrophic factor," GenBank, Accession No. X80542 (August 16, 1991).		
	AV	PENNICA, et al., "Mus musculus cardiotrophin-1 mRNA, complete cds," GenBank, Accession No. U18366 (March 15, 1995).		
	AW	PENNICA, et al., "Human cardiotrophin-1 (CTF1) mRNA, complete cds," GenBank, Accession No. U43030 (January 9, 1996).		
	AX	PETERS, et al., "In vivo and in vitro activities of the gp130-stimulating designer cytokine hyper-IL-6," J. Immunol. 161(7):3575-3581 (October 1, 1998).		
	AY	RAKEMANN, et al., "the designer cytokine hyper-interleukin-6 is a potent activator of STAT3-dependent gene transcription in vivo and in vitro," J. Biol. Chem. 274(3):1257-1266 (January 1999).		
	AZ	SAOTOME, et al., "Mus musculus zinc finger protein (Pzf) mRNA, partial cds, and ciliary neurotrophic factor (Cntr) mRNA, complete cds," GenBank, Accession No. U05342 (November 29, 1995).		
Examiner Signature				Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08B (04-03)

Approved for use through 04/30/2003. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/777,789
				Filing Date	02/11/2004
				First Named Inventor	Birgit OPPMANN
				Art Unit	Unknown
				Examiner Name	Unknown
Sheet	3	of	3	Attorney Docket Number	DX0935KC

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	BA	SENALDI, et al., "Novel neurotrophin-1/B cell-stimulating factor-3: a cytokine of the IL-6 family," Proc. Natl. Acad. Sci. USA 96(20):11458-11463 (September 28, 1999).	
	BB	SHELTON, "Are there more members of the CNTF-GPA family?," Persp. Devel. Neurobiol., 4(1):101-107 (1996).	
	BC	SHI, et al. "Computational EST database analysis identifies a novel member of the neuropoietic cytokine family," Blochim. Biophys. Res. Commun., 262(1):132-138 (August 19, 1999).	
	BD	STAHL, et al., "Human leukemia inhibitory factor (LIF) gene, complete cds," GenBank Accession No. M63420 (October 31, 1994).	
	BE	TRINCHIERI, "Proinflammatory and immunoregulatory functions of interleukin-12," Intern. Rev. Immunol. 16(3-4):365-396 (1998).	
	BF	WARE, et al., "Targeted disruption of the low-affinity leukemia inhibitory factor receptor gene causes placental, skeletal, neural and metabolic defects and results in perinatal death," Development 121(5):1283-1299 (May 1995).	
	BG	Database DGENE, Last updated 13-JUN-1999, Result from sequence search using SEQ ID NO:2, as the query and citing Accession Numbers: 99P-W94466, 98P-W56141, 98P-W29715, 98P-W56142, 98P-W29716, 97P-W29237, 96P-R88204, 95P-R83965; Derwent Information Ltd., London.	
	BH	Database DGENE, Last updated 13-JUN-1999, Result from sequence search using SEQ ID NO:12, as the query and citing Accession Numbers: 98P-W59805, 98P-W55012, 98P-W55011, 98P-W59804, 98P-W55014, 98P-W55015, 98P-W55016, 92P-R26334, 97P-W17859, 96P-R94576, 92P-R24273, 92P-R22228, 91P-R10795; Derwent Information Ltd., London.	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
 *Applicant's unique citation designation number (optional). *Applicant is to place a check mark here if English language Translation is attached.
 This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.
 If you need assistance in completing the form, call 1-800-PTO-9198 (1-800-786-9199) and select option 2.